HON'BLE MR JUSTICE A. GOPAL REDDY

-

WRIT PETITION NO.18522 OF 1995

DATE:14.03.2006

Between:

The Kakinada Cooperative Building Society,

Rep. by its President Kosuri Yedu Surya.

..... PETITIONER

AND

Y.Krishna Murthy and two others.

.....RESPONDENTS

-

-

-

-

-

-

-

-

-

-

HON'BLE MR JUSTICE A. GOPAL REDDY

W.P. No.18522 OF 1995

ORDER:

Petitioner invoked the *certiorari* jurisdiction of this Court under Article 226 of the Constitution of India to call for the records relating to the order, dated 26.4.1995 made in C.T.A.No.1 of 1992 of Cooperative Appellate Tribunal (Principal District Munsif Curt), Kakinada and to quash the same by declaring as arbitrary, illegal and contrary to the provisions of the A.P. Cooperative Societies Act.

By virtue of amendment effected to Section 75(2) of the A.P. Cooperative Societies Act, 1964 constituting a Tribunal consisting of Chairman and not more than two Members; and insertion of Section (1-A) to Section 76 of the Act, all the appeals pending before the Cooperative Tribunal on the date of commencement of the Act, 15 of 1991 shall stand transferred to the Cooperative Tribunal constituted under Section 75 of the Act. In view of the same, the Tribunal will not have jurisdiction to proceed with the matter.

Under those circumstances, the impugned order is set aside and the matter is remitted to the Cooperative Tribunal constituted under Section 75(2) of the A.P. Cooperative Societies Act, for disposal in accordance with law.

The Writ Petition is accordingly disposed of. No costs.

_____

A. GOPAL REDDY, J

14th MARCH, 2006.

Tsr